

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

HERSHEL R. STANLEY

2011 MAY -4 P 2:45

(Full Name of each Plaintiff)

JON W. SANFILIPPO
CLERK

Plaintiff(s),

Case No. 11-c-0432

(Supplied by Clerk)

v.

ROBERTA ROALKBAN

Oshkosh, Social Security Admin.,

(Full Name of each Defendant)

Defendant(s).

FREEDOM OF INFORMATION ACT, (FOIA) / PRIVACY ACT
VIOLATIONS CHALLEGE 5 U.S.C. § 552 / 5 U.S.C. § 552(a)

I. PLACE OF PRESENT CONFINEMENT (Provide full address)

Wisconsin Resource Center, 1300 South Drive, P.O. Box 129, Winnebago,

Wisconsin 54985-0129

A. Is there a grievance procedure in your prison/jail? YES NO

B. Have you filed a grievance concerning the facts relating to this complaint?

YES NO : Grievance Process does not cover the (FOIA) /
Privacy Act violations claimed against the
Oshkosh, WI Social Security Administration.

II. PARTIES

A. Your name (Plaintiff) HERSHEL R. STANLEY

B. Prisoner I.D. Number 990604

C. Social Security Number (Last Four Digits Only) 9425

D. Your Address (City & State) 1300 South Drive, Winnebago, WI 54985-0129
(For additional plaintiffs provide the same information in the same format on a separate page.)

E. DEFENDANT (name) ROBERTA ROALKBAN
is employed as Senior Field Director
at Oshkosh, Wisconsin Social Security Administration, (SSA)
400 City Center, Suite B; Oshkosh, WI 54901

F. Additional DEFENDANTS (name, position, and place of employment):

III. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court relating to the same facts involved in this action? YES NO

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES NO

C. If your answer is YES to either of the above questions, provide the following requested information.

1. Parties to the previous lawsuit

Plaintiff(s): HERSHEL R. STANLEY

Defendant(s): BYRAN BARTOW, Superintendent, Wisconsin Resource

Center, Winnebago, WI 54985

2. Date filed April 2011

3. Court where case filed (if federal court, name district; if state court, name the county) Eastern District Court

4. Case number and citation 11-cv-377

5. Nature of claim Habeas Corpus

6. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending?) Pending

7. If resolved, date of disposition N/A

8. If resolved, state whether for N/A
(plaintiff or defendant)

(For additional cases, provide the above information in the same format on a separate page.)

'None'

IV. STATEMENT OF CLAIM

A. State as briefly as possible the facts of your case. Describe how each named defendant is involved. Include the name of other persons involved, dates, and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra pages, if necessary. Unrelated separate claims should be raised in a separate civil action.

On or about July 18, 2010 I filed a 'Freedom of Information Act, (FOIA)
Privacy Act document request with Director, (FOIA) Oshkosh Social Secu-
rity Administration, (SSA) for the full 'fifty-two' (missing!) Exhibits
as were directly "on file" and before the Adm. Law. Judge. within 8/31/87
Hearing/Decision see "ATTACHMENT I, pgs. 1, 2 and 3" (attached). I then
only on date of January 19, 2011 found that Roberta Roalkban, was director

STATEMENT OF CLAIM continued

of the Oshkosh Social Security Administration, I then immeditely wrote
directly to Senior Direct Roberta Roalkban, specific to these 'missing'
"Fifty-Two" (52) Exhibits listed on my "ATTACHMENT I" and forwarded her
an exacting copy of this 'Attachment I" On January 19, 2011 EXHIBIT 1.
I never received any response and directly wrote Senir Director Roalkban

on dates(s) of February 17, 2011 EXHIBIT 2, March 23, 2011 EXHIBIT 3
at all times identifying the 'missing exhibits' see EXHIBIT 4 but have
never received this 'missing exhibits' see EXHIBIT 4. I have a full
'Reconsideration' process/procedures currently "on going" directly to
the unconstitutional 08/31/87 Hearing/Decision and need these 'missing
exhibits to present within these on going appeals.

B. State briefly your legal theory or cite appropriate authority.

I ask herein for SUMMARY JUDGMENT as this is the procedural vehicle by
which (FOIA) / Privacy Act cases are typically resolved 5 U.S.C. B 552
The court may grant me 'Summary Judgment' here, based solely upon there
are 'no material facts are in dispute' and all of the information respon-
sive to the request has been produced See "ATTACHMENT 1, pgs, 1, 2,
3. see also EXHIBIT(S) 1, 2, 3. and 4 (attached). The 'missing' Fifth-
Two (52) Exhibits were/have been fully documented by the Social Securi-
ty Administration,(SSA) to both 'exist' and real as prsented upon their
very own 'Form HA-540-U7 LIST OF EXHIBITS, specific to HERSHEL STANLEY
391-70-9425 and 'listing' running from EXHIBITS NO. 1 through 52 see
'ATTACHMENT I, pgs. 1, 2, and 3. see also EXHIBIT 4. And Senior Director

V. RELIEF YOU REQUEST ..and equal protections of law 4th, 5th & 14 Amedments

State briefly and exactly what you want the court to do for you. Make no legal arguments. Do not use this space to state the facts of your claim. Use it only to request remedies for the injuries you complain about.

Full and immediate production of all 'missing exhibits' listed upon
"ATTACHMENT I pgs. 1, 2, 3 as they are listed with full count of pages
documented to exist. Finding of violation of my 4th, 5th & 14th Amendment

rights to due process / equal protection / 'property interests under
Freedom of Information Act, (FOIA) / Privacy Act against defendant(s)
and 'attorney fees' of ten (10) hours at \$160.00 per-hour under the
Equal Access To Justice Act ("EAJA") for a total of \$1,600.00 upon my
being successful herein. And that defendant(s) pay all court costs/ fees
see 28 U.S.C. § 2412(d)(1), (2) (A).

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 5th day of MAY, 2011.


Signature of Plaintiff(s)

~~(If there are multiple plaintiffs, each must sign the
complaint)~~

Prisoner I.D. Number(s) 990604